

COMMONWEALTH OF KENTUCKY  
EXECUTIVE BRANCH ETHICS COMMISSION  
AGENCY CASE NO. 08-29  
ADMINISTRATIVE ACTION NO. 09-EBEC-0022

EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

vs.

TARA GAINES

RESPONDENT

AGREED FINAL ORDER

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WHEREAS, the parties having reached a settlement in this matter, and the Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. The Settlement Agreement executed on March 27, 2009 and attached hereto as Exhibit A is incorporated by reference as if fully stated herein.
2. Tara Gaines shall pay the civil penalty in the total amount of two hundred and fifty dollars (\$250.00) as follows in ten equal installments of twenty-five dollars (\$25.00) by mailing a check or money order payable to the Kentucky State Treasurer so that it is received by the Executive Branch Ethics

Commission on or before the following dates:

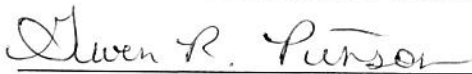
- a. November 15, 2009
- b. November 30, 2009
- c. December 15, 2009
- d. December 30, 2009
- e. January 15, 2010

- f. January 30, 2010
- g. February 15, 2010
- h. February 28, 2010
- i. March 15, 2010
- j. March 30, 2010.

3. If Tara Gaines fails to make any of the payments in the method described in Paragraph two above, then the Executive Branch Ethics Commission may immediately file an enforcement action in Franklin Circuit Court for the unpaid balance of the civil penalty.
4. Upon full payment of the civil penalty, this case shall be dismissed as settled.

SO ORDERED, this 13<sup>th</sup> day of November, 2009.

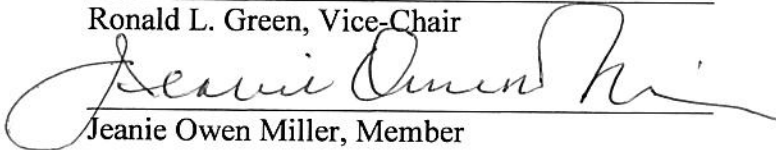
EXECUTIVE BRANCH ETHICS COMMISSION



Gwen R. Pinson, Chair

Absent

Ronald L. Green, Vice-Chair



Jeanie Owen Miller, Member

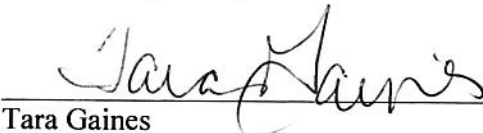


Angela Edwards, Member



W. David Denton, Member

Seen and Agreed by:



Tara Gaines



Dana Cox Nickles, General Counsel

## DISTRIBUTION

By hand delivery, for filing on November 13, 2009:

Debbie Briscoe  
Administrative Proceedings Clerk  
Executive Branch Ethics Commission  
3 Fountain Place  
Frankfort, Kentucky 40601

and a copy was hand-delivered to:

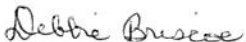
Dana Cox Nickles  
General Counsel  
Executive Branch Ethics Commission  
3 Fountain Place  
Frankfort, Kentucky 40601.

By first class mail, postage prepaid:

Tara Gaines  
4470 Fords Mill Road  
Versailles, Kentucky 40383-9671

and

Hon. Susan S. Durant  
Hearing Officer  
Division of Administrative Hearings  
Office of the Attorney General  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204.

  
\_\_\_\_\_  
Debbie Briscoe

## SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and Tara Gaines.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Tara Gaines*, Case No. 08-029;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

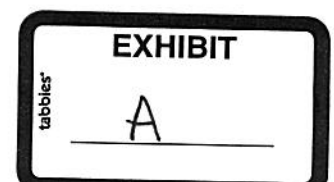
WHEREAS, on January 26, 2009, the Commission alleged facts in an Initiating Order that Tara Gaines violated the Executive Branch Code of Ethics at KRS 11A.020(1)(c) and (d);

WHEREAS, Tara Gaines was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9), and thus is subject to the Executive Branch Code of Ethics; and

WHEREAS, Tara Gaines indicates her desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Tara Gaines agree, pursuant to KRS 11A.100, as follows:

1. Tara Gaines admits that she committed violations of the Executive Branch Code of Ethics at KRS 11A.020(1)(c) and (d) as stated in the Commission's Initiating Order of January 26, 2009.
2. Tara Gaines made restitution to the Department of Unemployment Insurance in the amount of six hundred seventy-one dollars (\$671.00).
3. Tara Gaines agrees to pay the Commission a civil penalty in the total amount of two hundred fifty dollars (\$250.00) on or before April 30, 2009.
4. Tara Gaines agrees that upon a Final Order being issued by the Commission that she waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.
5. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Tara Gaines*, Agency Case No. 08-029.



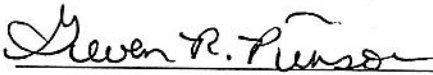
6. This Settlement Agreement constitutes a public reprimand to Tara Gaines, a copy of which will be provided to her former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:


  
Tara Gaines

2/17/08  
Date

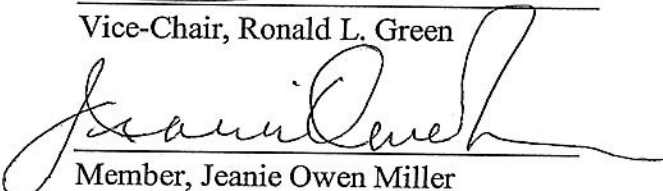
EXECUTIVE BRANCH ETHICS COMMISSION:

  
Chair, Gwen R. Pinson

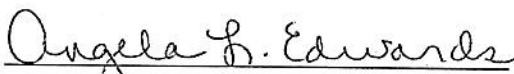
3/27/09  
Date

  
Vice-Chair, Ronald L. Green


3/27/09  
Date

  
Member, Jeanie Owen Miller

3/27/2009  
Date

  
Member, Angela Edwards

3/27/09  
Date

  
Member, Nicholas Patrick Cambron

3-27-09  
Date